



Warren County Drug Task Force
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Honorable Mark E. Souder
U.S. House of Representatives
Chairman
Subcommittee on Criminal Justice
Drug Policy and Human Resources
Washington, D.C.

Dear Representative Souder:

I am the commander of the Greater Warren County Ohio Drug Task Force in Southwest Ohio, an agency that has received Byrne Memorial/JAG funding for the past several years. In addition, I am also the Vice President of the Ohio Task Force Commanders Association (OTFCA) and jointly in charge with the FBI, of the Southwest Ohio Drug Task Force (SWORD), an initiative that is part of the Southern Ohio High Intensity Drug Trafficking Area (HIDTA). I have been a law enforcement officer for over 38 years.

The illicit drug problem in the United States continues to plague our jurisdictions and the good citizens that we protect. These drugs are brought in to our communities usually from Mexico into our southwest border states, and then transported by motor vehicle, or shipped through a variety of commercial entities, including the U.S. Post Office.

In addition, millions of licit drugs (pharmaceuticals) are being smuggled into the United States from Mexico and Canada or shipped through freight handlers when citizens procure them through illegal Internet sites. These drugs then feed addictions and/or provide a ready supply of pharmaceuticals for sale. Prescription drug addiction conservatively makes up 25-30% of the overall drug problem in America, and in some states is causing more overdose deaths than their illicit counterparts.

Our region is also fighting a significant problem with the clandestine production of methamphetamine. Incredible resources of both manpower and money are being expended in order to fight the production of a drug that is clearly the most addictive on the planet. We have been able to combine resources with our state investigative

agency, local law enforcement, and the Drug Enforcement Administration to address this growing concern.

However, as the problems of clandestine labs are handled, the influx of “ice” or crystal methamphetamine from Mexico has already begun to infiltrate our region of the country. Our latest seizure was found to be over 92% pure, or three times the purity level of most of the local methamphetamine manufacturers.

This problem has a direct effect on our citizens when our county prosecutor feels that upwards of 90% of the felony indictments are drug related. This may expose itself through violent crime, related crime to procure drugs, or the devastation of addiction.

The nation’s drug task forces are typically the law enforcement agencies that fight this drug battle everyday. In order to effectively pursue mid to upper level drug traffickers, considerable resources need to be available to these law enforcement entities. Without these resources, the drug investigations and enforcement will dwindle to the point of extensive ineffectiveness, plaguing our communities to intolerable levels.

Although our individual communities see the end result of illegal drug trafficking, the problem has to be handled on a regional, national, and even international scale in order to be effective. Therefore, the collaboration of local, state, and federal law enforcement officers are a necessity in continuing to attack this problem in an effective manner.

Byrne Memorial/JAG Grants

The reduction in Byrne Memorial/JAG Grant funding in Ohio has been devastating over the past two years toward fighting the illegal drug problem. In calendar year 2006 we have seen a minimum of a 50% reduction in these funds available to our task forces, with calendar year 2007 promising at least another 50% cut.

These cuts, if allowed to remain intact, will effectively eliminate a portion of the drug task forces in Ohio in 2007, and cripple many others who manage to continue to exist. In most cases, the region’s drug task force is the only law enforcement agency working full time on prosecuting high level drug dealers.

These task forces work in concert with state, local, and federal law enforcement groups in combating the illegal drug trade. Local officers oftentimes provide the manpower and the intelligence associated with their own communities. This is an invaluable asset to state and federal officers as the law enforcement entities pursue this problem together.

Without the full reinstatement of the Byrne Memorial/JAG Grants to the states, the resources provided by local law enforcement will be greatly curtailed, and in several instances, eliminated all together.

High Intensity Drug Trafficking Area (HIDTA)

Southern Ohio has become the newest addition to HIDTA's in the United States. This Office of National Drug Control Policy (ONDCP) funded program has already been highly effective in pursuing high-level drug trafficking criminal enterprises.

HIDTA funds have provided our region with the ability to house local, state, and federal officers within the same office, and work together on a daily basis pursuing national and international drug traffickers.

In my office, (SWORD), we currently house agents from the FBI, DEA, and Ohio Bureau of Criminal Investigation, along with several local law enforcement officers and administrative staff, to conduct complex and sometimes lengthy drug investigations. To complement this effort, we also have a criminal analyst from the Ohio National Guard's Counter Drug Task Force, who assists in this endeavor.

HIDTA funds provide us the ability to aggressively pursue criminal enterprises that oftentimes are based near or outside the borders of the United States, most commonly Mexico. With HIDTA funding, we have been able to pursue large drug trafficking rings, money launderers, and a violent murder-for-hire criminal coalition that yielded multiple indictments in the fall of 2005.

This unprecedented cooperation between local, state, and federal agencies has only been accomplished because of the existence of the Ohio HIDTA. If funding were to be eliminated for this very important program, the cooperation between these agencies in most cases would return to the minimal levels that existed before HIDTA's existence. If that happens, only the criminal element that preys on our region will benefit.

Federal Asset Forfeiture

The pursuit of assets being used toward the commission of felony offenses, or assets obtained from the enormous profits derived from drug trafficking, is still a viable tool used by drug task forces across the country. Our drug task force has participated in equitable sharing on many cases over the past few years, with many cases still pending.

However, the restriction on federal forfeiture that does not allow law enforcement to use the funds for current employees is in need of revision. This unnecessary restriction oftentimes ties the hands of local drug task forces who may secure large

amounts of federal forfeiture funds, but cannot use them to support salaries of current employees. This can leave these task forces in the position of having ample funds for equipment, overtime, and many other services, but being unable to pay the salary of the investigator.

Conclusion

The continued effective drug enforcement effort in this country requires a collaboration of local, state, and federal law enforcement agencies. Although local governments see the grassroots problems of low-level traffickers and those addicted, incarcerating those responsible for the seemingly unending flow that begins outside our borders, is imperative, to have some lasting effect.

This enormous job requires that these agencies work closely together, and that local drug task forces receive ample funding for their very own existence. This funding has been provided in the past through the Byrne Memorial/JAG grants, which have dwindled to only a fraction of the levels provided in calendar year 2005. Restoring this funding to at least 2005 levels is extremely important to our drug enforcement efforts.

In over 38 years in law enforcement, I have not seen a program that better equips local, state, and federal officers to combat the illegal drug trade than HIDTA. The successful joint law enforcement enterprise that HIDTA has given my region of Ohio has been invaluable, as we continue to partner into more complex national and international drug smuggling operations that would have been impossible without this federally funded program.

Local and state law enforcement needs the financial and resource assistance available from the Federal Government, in order to combat the drug problem. Although we see the problems at the local level, they are the aftermath of national and international drug trafficking that can only be deterred through multiple agency cooperation, fueled by consistent and thoughtful funding.

Sincerely,

Commander John J. Burke